

WAC Definition Modifications

The following contains suggested modifications to current definitions in 173-98-020 and 173-95A-020

(Facilities Committee)

SRF Definitions - underline means text added

"Applicant" means a public body that has applied for or offered funding in the current funding cycle.

"Design" means ~~the preparation of contract documents plans and specifications for water pollution control facilities or activities~~ the construction contract documents and supporting engineering documents prepared in sufficient detail to allow contractors to bid on and construct water pollution control facilities. "Plans and specifications" and "design" may be used interchangeably.

Easement need to add "recorded with the county".

May need a new definition for "land owner agreements."

Excess capacity" means water pollution control facilities design capacity ~~capability~~ beyond what is needed for the existing residential population to meet the water quality based effluent limitations in the recipient's National Pollution Discharge Elimination System or state waste discharge permit at the time of application.

Existing residential need" means work required on the water quality based effluent limitations in the recipient's water pollution control facilities for the existing residential population in order to meet the recipient's National Pollution Discharge Elimination System or state waste discharge permit at the time of application.

Facilities plan definition needs the addition of NEPA SERP.

Federal capitalization grant" means a federal grant awarded by EPA to the state as seed money to help establish the state water pollution control revolving fund, add 20% State match.

Funding cycle" means the ~~annual~~ cycle of ~~activities work~~ related to allocating funds for a single fiscal year.

Infiltration and inflow correction" means the cost-effective alternative or alternatives identified in an approved ~~facility~~ facilities plan for eliminating or reducing the infiltration and inflow from an existing sewer system.

Intended use plan: add goals and objectives.

Loan agreement, check to see if we need to expand this definition to include loan repayment etc. Brian will check on this. Doesn't need to be expanded.

Local prioritization process, may need to delete this definitions.

Project completion: regional engineers will work on this definition.

Recipient means a successful applicant ~~public body~~ ~~an applicant for financial assistance~~ ~~who~~ which has signed an SRF loan or grant agreement.

Scope of work" means a detailed description of a project, including measurable objectives useful for determining successful completion. The scope of work is negotiated between the department and the loan public body ~~or grant recipient~~.

Small flow language needs to be reviewed to see if it can be deleted.

Review 39, 40, and 42 to see if the language is awkward. Brian will work on this. The language is ok.

Do work search to see if the word "grant" is used correctly in the SRF rule. Brian will work on this. Done, there were some occurrences where the word "grant" should be deleted. I have highlighted those occurrences.

Check senior lien obligations language for accuracy.

Need new definition for design build, water reclamation reuse, alternative contracting. Regional engineers will provide input.

Step process definition needs to be updated. Regional engineers will provide input.

"Total loan eligible project cost" means the sum of all costs associated with a water quality project that have been determined to be eligible for loan ~~or grant~~ funding.

Do we need the water resource inventory area definition?

Add a definition for water reclamation and reuse.

(Activities Committee)

Underlined and italicized writing signify the changes to be made or suggested changes.

BMPs on Private Property

Innovative or alternative technology projects will be analyzed for water quality, environmental, and cost effectiveness. This may include direct seed projects in the future.

A new committee would have to be in charge of reviewing these new BMPs and technologies, and the specifics will have to be worked out in policy and/or guidelines.

Language agreed upon by the committee:

173-95A-060 8(c): Implementation of best management practices in the riparian zone on private property consisting of revegetation, fence construction, and other related BMPs as approved by the Department, and where a public easement or landowner agreement is given by the landowner.

Definitions

173-95A-020

(28) “Implementation” means the process of installing on the ground improvements that are described in:

1) a site-specific design

2) a watershed scale management plan

Examples of acceptable planning within an implementation project: farm plans, project designs, bioengineering, hydrological analysis.

(40) “Planning” means a process that identifies causes and solutions to problems through a sequence of steps: collecting background information, data gathering, development of goals and objectives, identification of management measures, evaluation of options and priorities, development of an implementation strategy, and adaptive management.

(42) “Public body”

Should remove state of Washington because we do not fund the state.

Need to define: “Landowner agreement”

Laundry List of Eligible and Non-Eligible items

173-95A-060

5(d) Projects or project elements intended solely for flood control, such as dikes and levees.

5(k) *change from* Office equipment *to* Office furniture

5(t) Projects or project elements solely addressing water quantity or other water resource issues, such as stream gages;

6(a) Implementation of best management practices on private property, with certain narrow exceptions listed in subsection 8 of this section;

Consider removing because it makes the rule difficult to read and, therefore, is not consistent with Plain Talk principles.

6(l) Previously funded objectives;

Need to clarify and amplify that this actually means things we've funded before. (may exclude monitoring activities???)

7(h) Add On-site septic systems.

This should be added because of our Puget Sound Initiative funding, and it gives us the freedom to possibly continue this new program throughout the state (not just Puget Sound).

8(h) Diagnostic studies to assess current water quality & (u) Monitoring water quality;

consider combining and modifying into: Monitoring water quality and stream health.

**We would need to set some parameters for this in the guidelines.*

8 (g) Watershed plan development and implementation & (gg) Comprehensive basin, watershed, and area-wide water quality planning;

Consider combining and modifying into: Comprehensive basin, watershed, and area-wide water quality planning and implementation.

8 (j) Environmental checklists, assessments, and impact statements necessary to satisfy requirements for the State Environmental Policy Act (SEPA) and the National Environmental Policy Act (NEPA);

Need to clarify

****The rule writing team should consider lumping the “laundry list” of eligible and non-eligible items into categories rather than trying to keep them in alphabetical order.**